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Washington, Tuesday, March 10, 1959

Title 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 1814]

[Fairbanks 020832]

ALASKA

Withdrawing Public Lands for Use of the Bureau of Indian Affairs for School Purposes

By virtue of the authority vested in the Secretary of the Interior by the act of May 31, 1938 (52 Stat. 593; 48 U.S.C. 353a), it is ordered as follows:

Subject to valid existing rights, the following-described public lands in Alaska are hereby withdrawn from all forms of appropriation under the public land laws, including the mining and mineral leasing laws but not the disposal of materials under the act of July 31, 1947 (61 Stat. 681; 30 U.S.C. 601–604) as amended, and reserved under the jurisdiction of the Bureau of Indian Affairs for school purposes:

SCAMMON BAY—BERING SEA AREA

Beginning at a point located N. 60° W., 100 feet from the northwest corner of the Bureau of Indian Affairs school building, thence
S. 30° W., 220 feet;
S. 60° E., 450 feet;
N. 30° E., 350 feet;
N. 60° W., 450 feet;
S. 30° W., 130 feet to the point of beginning.

The tract described contains 3.6 acres.

ROGER ERNST,
Assistant Secretary of the Interior.

MARCH 4, 1959.

[F.R. Doc. 59-2025; Filed, Mar. 9, 1959; 8:47 a.m.]

[Public Land Order 1815]

[78965]

ALABAMA

Withdrawing Lands for Use of the Tennessee Valley Authority

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

Subject to valid existing rights, the following-described public lands in Alabama are hereby withdrawn from all forms of appropriation under the public lands laws, including the mineral leasing laws but not disposals of materials under the act of July 31, 1947 (61 Stat. 631; 69 Stat. 367; 30 U.S.C. 601–604) as amended, and reserved for use of the Tennessee Valley Authority for the purposes thereof as set forth in the Tennessee Valley Authority Act of 1933 (48 Stat. 63; 16 U.S.C. 831; et seq.):

HUNTSVILLE MERIDIAN

T. 6 S., R. 5 E.,
Sec. 6, lot 1.

The tract described contains 2.9 acres.

ROGER ERNST,
Assistant Secretary of the Interior.

MARCH 4, 1959.

[F.R. Doc. 59-2026; Filed, Mar. 9, 1959; 8:47 a.m.]

PROPOSED RULE MAKING

DEPARTMENT OF THE TREASURY

Bureau of Customs

[19 CFR Part 26]

DISCLOSURE OF INFORMATION; NAMES OF EXPORTERS

Notice of Proposed Rule Making

Requests have been received from the press for permission to obtain from customs records and publish the names of shippers (exporters) of export shipments by vessel. The publications now copying export cargo data from customs records for publication are precluded by § 26.5 (a) and (b), Customs Regulations, from obtaining the names of the exporters.

The names of shippers (exporters) are not required to be shown on the outward vessels manifests filed with customs covering exportations. In some cases

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FEDERAL REGISTER

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CFR SUPPLEMENTS

(As of January 1, 1959)

The following supplement is now available:

Title 38 ($0.55)

Previously announced: Title 3, 1958 Supp. ($0.35); Title 8 ($0.35); Titles 22–23 ($0.35); Title 25 ($0.35); Title 46, Parts 146–149, 1958 Supp. 2 ($1.50); Title 47, Part 30 to end ($0.30); Title 49, Parts 91–164 ($0.40)

Order from Superintendent of Documents, Government Printing Office, Washington 25, D.C.

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information that such manifests are required to show is supplied by attaching bills of lading to the manifests. In addition to the required customs information, the bills of lading give the names of the shippers (exporters). It is only to such manifests with bills of lading attached that the present requests for disclosure of exporters' names relate.

To effect the change requested by members of the press, § 26.5 (a) and (b) of the Customs Regulations would be amended to make clear that names of shippers (exporters) could be copied when bills of lading containing such information are voluntarily attached to the outward manifest. Also, § 26.7(a) of the regulations would be simultaneously amended to provide that collectors of customs, upon written application from an exporter, would refuse to permit the copying by the press of the exporter's name. The result of these amendments would be that where an exporter's name is on a bill of lading voluntarily attached to the outward manifest filed with customs such name could be copied by the press for publication unles the exporter instructs collectors of customs not to permit his name to be copied for publication.

Notice is hereby given of the proposed amendments in accordance with section 4 of the Administrative Procedure Act (5 U.S.C. 1003).

Prior to issuance of the proposed amendment, it is desired to obtain the views of that part of the public which might be directly affected and of all other members of the public which might be interested in this matter. Consideration will be given to any relevant data, views, or arguments pertaining to the proposed amendment which are submitted in writing to the Commissioner of Customs, Washington 25, D.C., and received not later than 60 days from the date of publication of this notice in the FEDERAL REGISTER. No hearing will be held.

[SEAL] RALPH KELLY,
Commissioner of Customs.

Approved: March 3, 1959.

A. GILMORE FLUES,
Acting Secretary of the Treasury.

[F.R. Doc. 59–2034; Filed, Mar. 9, 1959; 8:48 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[25 CFR Part 121]

ISSUANCE OF PATENTS IN FEE, CERTIFICATES OF COMPETENCY, SALE OF CERTAIN INDIAN LANDS, AND REINVESTMENT OF PROCEEDS

Information Regarding Status of Applications for Patents in Fee

Basis and purpose. Notice is hereby given that pursuant to the authority vested in the Secretary of the Interior by section 161 of the Revised Statutes (5 U.S.C. 22), it is proposed to amend 25 CFR 121.2 as set forth below. The purpose of this amendment is to assure, insofar as practicable, that Indian applicants for patents in fee are informed concerning the disposition of their applications before such information is made available to the public. To accomplish this purpose, the amendment provides, in the case of approved applications, a period of 15 days for recordation and delivery of the patent to the Indian applicant before information on the status of the application will be made public. If the application is rejected, such information will be made available immediately after the applicant has been notified of such rejection.

This proposed amendment relates to matters which are exempt from the rule making requirements of the Administrative Procedure Act (5 U.S.C. 1003); however, it is the policy of the Department of the Interior that, wherever practicable, the rule making requirements be observed voluntarily. Accordingly, interested persons may submit written comments, suggestions, or objections with respect to the proposed amendments to the Bureau of Indian Affairs, Washington 25, D.C., within thirty days of the date of publication of this notice in the FEDERAL REGISTER.

ROGER ERNST,
Assistant Secretary of the Interior.

MARCH 3, 1959.

A new section is added following § 121.2 to read as follows:

§ 121.2a Information regarding status of applications for patents in fee.

The status of applications by Indians for patents in fee shall be disclosed to employees of the Department whose duties require that such information be disclosed to them and to the applicant, or his attorney, upon request. Such information will be made available to all other persons, upon request, fifteen (15) days after the fee patent has been issued by the Bureau of Land Management, or after the application has been rejected and the applicant notified, if such be the case.

[F.R. Doc. 59-2024; Filed, Mar. 9, 1959; 8:46 a.m.]

[25 CFR Part 221]

COLVILLE INDIAN IRRIGATION PROJECT, WASHINGTON

Operation and Maintenance Charges

Basis and purpose. Notice is hereby given of intention to amend §§ 221.10 and 221.11 of Part 221, Title 25 CFR, Indians, to read as set forth below. Authority for this action is provided by the acts of August 1, 1914, and March 7, 1928 (38 Stat. 583 and 45 Stat. 210; 25 U.S.C. 385, 387). These amendments will change the regulations in regard to due dates of operation and maintenance charges and penalty for delinquency.

The proposed amendments relate to matters which are subject to section 4 of the rule making requirements of the Administrative Procedure Act of June 11, 1946 (60 Stat. 238). Accordingly, interested persons may submit written comments, suggestions, or objections with respect to the proposals to the Commissioner, Bureau of Indian Affairs, Washington 25, D.C., within thirty days of the date of publication of this notice in the FEDERAL REGISTER.

ROGER ERNST,
Assistant Secretary of the Interior.

MARCH 3, 1959.

1. Sections 221.10 and 221.11 are amended to read as follows:

§ 221.10 Payments.

(a) The annual charges fixed in § 221.9 for the Nespelem and Little Nespelem Units shall become due on April 1 of each year and are payable on or before that date.

(b) The annual charges fixed in § 221.9 for the Monse Pumping Unit shall become due as follows: 50 percent on April 1 and 50 percent on July 1, and are payable on or before those dates.

(c) To any charges against non-Indian land or Indian land under lease to non-Indians remaining unpaid after July 1 there shall be added a penalty of one-half of one percent per month or fraction thereof from the due date until paid.

(d) In any instance where the superintendent is convinced that an Indian landowner, whose land is not under lease to a non-Indian, is financially unable to pay his operation and maintenance charges from proceeds of the crops being grown on the lands, or from any other source, water may be delivered if a written certificate is issued by the superintendent stating that such Indian is not financially able to pay such charges. In such cases, the unpaid charges shall be entered on the accounts and will stand as a first lien against the land until paid but without penalty for delinquency.

§ 221.11 Delivery contingent on payment.

(a) No water shall be delivered to any tract of land under the Nespelem and Little Nespelem Units until the entire irrigation charges for the current year shall have been paid. No water shall be delivered to any tract of land under the Monse Pumping Unit until at least 50 percent of the current year's charges have been paid. Water delivery shall not be continued after July 1 unless the total charges for the year have been paid, except as provided in § 221.10(d).

(b) No water shall be delivered to lands in non-Indian ownership until all delinquent charges, plus penalties, for previous years have been paid.

(c) No water shall be delivered to Indian lands under lease until the lessee has paid all charges, plus penalties in the case of a non-Indian lessee, which have accrued during the period of his lease.

(d) A water user who has fulfilled all requirements and is eligible to have water delivered to him shall give the ditch rider 48 hours notice in advance of the time he wishes to receive water or discontinue delivery of water to his tract.

2. Section 221.10a *Payments, Monse Pumping Unit* is eliminated for the reason that its provisions are included in § 221.10, as amended.

[F.R. Doc. 59-2023; Filed, Mar. 9, 1959; 8:46 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 120]

TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

Notice of Filing of Petition for Establishment of Tolerance for Residues of Toxaphene

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(1), 68 Stat. 512; 21 U.S.C. 346a (d)(1)), the following notice is issued:

A petition has been filed by Hercules Powder Company, Inc., Wilmington 99, Delaware, proposing the establishment of a tolerance of 7 parts per million for residues of toxaphene in the fat of meat from hogs.

The analytical method proposed in the petition for determining residues of toxaphene is that of J. A. Hudy and C. L. Dunn, entitled "Determination of Organic Chlorides and Residues from Chlorinated Pesticides by Combustion Analysis," published in the Journal of Agricultural and Food Chemistry, Volume 5, pages 351–354 (May 1957).

Dated: March 4, 1959.

[SEAL] ROBERT S. ROE,
Director, Bureau of Biological and Physical Sciences.

[F.R. Doc. 59-2036; Filed, Mar. 9, 1959; 8:48 a.m.]

ATOMIC ENERGY COMMISSION

[10 CFR Part 80]

GENERAL RULES OF PROCEDURE ON APPLICATION FOR DETERMINATION OF REASONABLE ROYALTY FEE, JUST COMPENSATION, OR GRANT OF AWARD FOR PATENTS, INVENTIONS, OR DISCOVERIES

Notice of Proposed Rule Making

The following proposed amendments to Part 80 of the Commission's rules and regulations provide that (1) the Patent Compensation Board be delegated authority to hear and decide cases involving claims for damages and use as the result of patent secrecy orders under 35 U.S.C. section 183, as authorized by 35 U.S.C. section 188, and (2) decisions of the Board be made reviewable by the Commission upon petition for review filed by any party to each such proceeding. Under the proposed review procedure, the decision of the Board would constitute final action of the Commission, unless any party to the proceeding should file a petition for review with the Commission within sixty days after such

decision and thereafter the Commission should grant the petition and order the proceeding to be submitted for final decision by the Commission.

Notice is hereby given that adoption of the following amendments to Part 80 is contemplated. All interested persons who desire to submit written comments and suggestions for consideration in connection with the proposed amendments should send them to the United States Atomic Energy Commission, Washington 25, D.C., Attention: Chief, Patent Branch, within 15 days after publication of this notice in the FEDERAL REGISTER.

§ 80.2 [Amendment]

1. Section 80.2(e) is amended to read as follows:

(e) "Party," "petitioner," and "respondent" shall mean the applicant (personally or through his counsel) and the Office of the General Counsel of the Commission as the text may indicate. Each applicant shall be entitled to be represented by counsel.

2. Section 80.1 is amended to read as follows:

§ 80.1 Scope of the part.

The regulations in this part provide the rules of procedure to be followed by any person making application to the Atomic Energy Commission for the determination of a reasonable royalty fee, compensation, or the grant of an award, and for the consideration of such applications pursuant to section 157 of chapter 13 of the Atomic Energy Act of 1954 (68 Stat. 947; 42 U.S.C. 2187), section 173 of chapter 15 of the Atomic Energy Act of 1954 (68 Stat. 953; 42 U.S.C. 2223), and section 1 of the Patent Act of July 19, 1952 (66 Stat. 806 and 808; 35 U.S.C. 183 and 188).

§ 80.10 [Amendment]

3. Section 80.10 is amended by adding the following paragraph (e):

(e) Any applicant, his successors, assigns or legal representatives, whose patent is withheld because of an order of secrecy issued at the request of the Commission may, beginning at the date the applicant is notified that, except for such order, his application is otherwise in condition for allowance, make application for compensation for the damage caused by the order of secrecy and/or for the use of the invention by the Government, resulting from his disclosure as provided by 35 U.S.C. 183.

§ 80.11 [Amendment]

4. Section 80.11(c) is amended by adding the following subparagraph (10):

(10) In the case of an application for compensation for the damage caused by an order of secrecy of a patent application and/or for the use of the invention by the Commission, the date of the order of secrecy, the date of the notice that the patent application is in condition for allowance, and, if known to the applicant, the date of the first use of the invention by the Commission.

5. The heading immediately preceding § 80.60 is amended to read "Adjudication and commission review."

§ 80.60 [Amendment]

6a. Section 80.60(a) is amended to read as follows:

(a) Upon the expiration of the period prescribed in § 80.51, the Board shall proceed to a final consideration of the application on the basis of the entire record, including any exceptions, and the briefs in support filed by either party. The Board shall resolve questions of fact by what it deems to be the greater weight of the evidence and shall make its decision on the entire record. Its findings as to facts shall be supported by reliable, probative, and substantial evidence. The Board shall render an appropriate decision, together with a statement of its reasons or basis, determining as the case may be a reasonable royalty fee, the amount of compenstion, or the amount of an award, or such other disposition as its determination requires.

b. Section 80.60 is further amended by adding at the end thereof the following paragraph (c):

(c) The decision of the Board shall constitute the final action of the Commission sixty (60) days after the date thereof, unless any party shall within such period file a petition for review of such decision.

7. A new § 80.61 should be added as follows:

§ 80.61 Commission review.

(a) The petition for review shall concisely and plainly state (1) the facts upon which the petitioner bases his claims that he has been adversely affected or aggrieved by the decision of the Board or that review thereof is required in the public interest under applicable statutes and rules, and (2) the relief or disposition of the application which the petitioner seeks by review.

(b) Seven copies of the petition for review and brief in support thereof shall be filed with the Clerk of the Board, who shall forthwith serve one copy of the petition and brief upon each of the members of the Commission, together with a copy of the Board's decision. The petition and supporting brief shall be accompanied by a certificate of service thereof upon the respondent.

(c) Within twenty (20) days after the filing of the petition for review and supporting brief, the respondent may file seven copies of an opposing brief with the Clerk of the Board, who shall forthwith serve one copy thereof upon each of the members of the Commission. The opposing brief shall be accompanied by a certificate of service thereof upon the petitioner.

(d) In their consideration of the petition for review and briefs filed with respect thereto, the members of the Commission may take into consideration, without limitation, (1) the propriety of the compensation, royalty, or award on its face or the size thereof; (2) compliance by the claimant or applicant, and the Board, with the requirements and standards of applicable statutes and the regulations of the Commission; and (3) important questions of policy or administration presented by the case.

(e) If the Commission denies the petition for review, the decision of the Board shall thereupon become the final action of the Commission. If the Commission grants the petition for review, it shall (1) direct the Clerk of the Board to forthwith certify the record of the case to the Commission, and (2) issue an order for review which shall fix a time within which the parties may submit exceptions and briefs with reference to the decision of the Board. After expiration of such time, the Commission shall proceed to a final decision in the manner provided in §§ 2.750, 2.753(b), 2.754, and 2.756 of this chapter.

(f) No officer or employee of the Commission, other than (1) a Commissioner, (2) a member of his immediate staff, or (3) Commission personnel who have not previously been involved, directly or indirectly, in the subject matter of the proceeding, in the proceeding itself, or in a factually related case, may participate or advise in the consideration of a petition for review or in the final decision of the Commission, except as a witness or counsel in the formal proceeding.

Dated at Germantown, Md., this 3d day of March 1959.

For the Atomic Energy Commission.

A. R. LUEDECKE,
General Manager.

[F.R. Doc. 59-2013; Filed, Mar. 9, 1959; 8:45 a.m.]

NOTICES

ATOMIC ENERGY COMMISSION

[Docket No. 50-18]

GENERAL ELECTRIC CO.

Notice of Issuance of Amendment to Utilization Facility License

Please take notice that the Atomic Energy Commission has issued Amendment No. 10 to Facility License No. DPR-1 increasing (1) the licensed quantity and (2) the allocation of special nuclear material to General Electric Company for use in connection with operation of its Vallecitos Boiling Water Reactor from 91.88 kilograms of contained uranium 235 to 136.00 kilograms of contained uranium 235 and amending the schedule of transfers of special nuclear material between the Commission and General Electric Company.

The Commission has found that the licensee is financially qualified to assume responsibility for the payment of Com-

mission charges for the special nuclear material to be furnished by the Commission and to undertake and carry out the proposed use of such material for a reasonable period of time. It has found, further, that the issuance of the amendment is not inimical to the common defense and security.

The Commission has found that prior public notice of proposed issuance of this amendment is not necessary in the public interest since no hazards considerations are involved.

In accordance with the Commission's rules of practice (10 CFR Part 2) the Commission will direct the holding of a formal hearing on the matter of the issuance of the license amendment upon receipt of a request therefor from the licensee or an intervener within thirty days after issuance of the license amendment. For further details see (1) the application for license amendment submitted by General Electric Company and (2) the license amendment both on file at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C.

Dated at Germantown, Md., this 4th day of March 1959.

For the Atomic Energy Commission.

H. L. PRICE,
Director.

[F.R. Doc. 59-2014; Filed, Mar. 9, 1959; 8:45 a.m.]

[Docket No. 50-119]

ALCO PRODUCTS, INC.

Notice of Proposed Issuance of Facility License

Please take notice that the Atomic Energy Commission proposes to issue to Alco Products, Incorporated, 30 Church Street, New York 8, New York, a license substantially as set forth below unless within fifteen (15) days after the filing of this notice with the Federal Register Division a request for a formal hearing is filed with the Commission as provided by the Commission's rules of practice (10 CFR Part 2).

For further details see (1) the application submitted by Alco Products, Incorporated, and (2) a memorandum by the Division of Licensing and Regulation which summarizes the principal factors considered in reviewing the application for license, both on file at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. A copy of item (2) above may be obtained at the Commission's Public Document Room or upon request addressed to the Atomic Energy Commission, Washington 25, D.C., Attention: Director, Division of Licensing and Regulation.

Dated at Germantown, Md., this 6th day of March 1959.

For the Atomic Energy Commission.

H. L. PRICE,
Director, Division of Licensing and Regulation.

PROPOSED LICENSE

1. Alco Products, Incorporated, 30 Church Street, New York, New York, filed an application dated October 7, 1958, and supplements thereto dated January 15, 1959, and February 25, 1959 (hereinafter collectively referred to as "the application") for license to possess and operate a critical experiments facility (hereinafter referred to as "the facility") which is owned by Alco Products, Incorporated, and located at Schenectady, New York.

2. Pursuant to the Atomic Energy Act of 1954, as amended (hereinafter referred to as "the Act"), and having considered the record in this matter, the Atomic Energy Commission (hereinafter referred to as "the Commission") finds that:

A. The facility will operate in conformity with the application and in conformity with the Act and the rules and regulations of the Commission.

B. There is reasonable assurance that the facility can be operated at the designated location without endangering the health and safety of the public.

C. Alco Products, Incorporated, is technically and financially qualified to operate the reactor.

D. The possession and operation of the reactor and the receipt, possession and use of special nuclear material in the manner proposed in the application will not be inimical to the common defense and security or to the health and safety of the public.

E. Alco Products, Incorporated, has filed with the Commission, as proof of financial protection, pursuant to 10 CFR Part 140, copies of binder number 35 issued by Mutual Atomic Energy Liability Underwriters covering the facility.

3. Subject to the conditions and requirements incorporated herein, the Commission hereby licenses Alco Products, Incorporated:

A. Pursuant to section 104c of the Act and Title 10, CFR, Chapter I, Part 50, "Licensing of Production and Utilization Facilities", to possess and operate the reactor at the designated location in Schenectady, New York, in accordance with the procedures described in the application.

B. Pursuant to the Act and Title 10, CFR, Chapter I, Part 70, "Special Nuclear Material", to possess and use up to forty (40) kilograms of contained uranium-235 in connection with operation of the reactor.

C. Pursuant to the Act and Title 10, CFR, Chapter I, Part 30, "Licensing of Byproduct Material", to possess, but not to separate, such byproduct material as may be produced from operation of the reactor.

4. This license shall be deemed to contain and be subject to the conditions specified in § 50.54 of Part 50 and to be subject to all applicable provisions of the Act and to the rules, regulations and orders of the Commission now or hereafter in effect and to the additional conditions specified below:

A. Alco Products, Incorporated, shall not operate the reactor at power levels in excess of one hundred watts (thermal) without previous authorization by the Commission.

B. In addition to those otherwise required under this license and applicable regulations Alco Products, Incorporated, shall keep the following records:

1. Reactor operating records, including power levels.

2. Records of in-pile irradiations.

3. Records showing radioactivity released or discharged into the air or water beyond the effective control of Alco Products, Incorporated, as measured at the point of such release or discharge.

4. Records of emergency reactor scrams, including reasons for emergency shutdowns.

C. Alco Products, Incorporated, shall immediately report to the Commission, in writing, any indication or occurrence of a possible unsafe condition relating to the operation of the reactor.

5. This license is effective as of the date of issuance and shall expire at midnight March 31, 1969.

Date of issuance:

For the Atomic Energy Commission.

[F.R. Doc. 59-2077; Filed, Mar. 9, 1959; 8:48 a.m.]

DEPARTMENT OF COMMERCE

Office of the Secretary

JOSEPH P. CROSBY

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests as reported in the FEDERAL REGISTER during the last six months:

A. Deletions: Ex-Cell-O Corp.

B. Additions: Pittsburgh Coke & Chemical, American Bosch Arma Corp.

This statement is made as of February 24, 1959.

JOSEPH P. CROSBY.

FEBRUARY 24, 1959.

[F.R. Doc. 59-2035; Filed, Mar. 9, 1959; 8:48 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 9921 et al.]

PAN AMERICAN WORLD AIRWAYS, INC., AND NATIONAL AIRLINES, INC.; AGREEMENTS INVESTIGATION

Notice of Postponement of Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, that the hearing in the above-entitled proceeding, originally scheduled for the 9th day of March 1959, at 10:00 a.m., e.s.t., in Room 725, Universal Building, 1825 Connecticut Ave. NW., Washington, D.C., is hereby postponed to March 18, 1959, at 10:00 a.m., e.s.t., in Room 725, Universal Building, Washington, D.C.

Dated at Washington, D.C., March 5, 1959.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F.R. Doc. 59-2082; Filed, Mar. 9, 1959; 9:12 a.m.]

FEDERAL POWER COMMISSION

[Docket No. G-16416]

HUMBLE OIL AND REFINING CO.

Order for Hearing and Suspending Proposed Changes in Rates; Amendment

MARCH 3, 1959.

In the Order for Hearing and Suspending Proposed Changes in Rates issued

October 2, 1958, and published in the FEDERAL REGISTER on October 8, 1958 (23 F.R. 7784), the words "Schedule No. 117." in footnote 2 should be corrected to read "Schedule No. 118."

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

[F.R. Doc. 59-2015; Filed, Mar. 9, 1959; 8:45 a.m.]

[Docket No. G-17279 etc.]

WIEGAND BROTHERS DRILLING CO. ET AL.

Order for Hearings and Suspending Proposed Changes in Rates; Amendment

MARCH 3, 1959.

In the matter of Wiegand Brothers Drilling Company, Docket No. G-17279; Hassie Hunt Trust, Docket No. G-17287; Salt Dome Production Company, Docket No. G-17288; Quintana Petroleum Corporation (operator), et al., Docket No. G-17289.

In the Order for Hearings and Suspending Proposed Changes in Rates issued December 18, 1958, and published in the FEDERAL REGISTER on December 25, 1958 (23 F.R. 10386), on the last line under column "Date of Notice of Change", the word "undated" should be corrected to read "November 19, 1958".

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

[F.R. Doc. 59-2016; Filed, Mar. 9, 1959; 8:45 a.m.]

[Docket No. G-11548 etc.]

PIONEER GATHERING SYSTEM, INC., ET AL.

Notice of Applications and Date of Hearing and Consolidation of Proceedings

MARCH 3, 1959.

In the matters of Pioneer Gathering System, Inc., Docket Nos. G-11548, G-14745, G-15034, G-15251, G-16550, G-16344; El Paso Natural Gas Co., Docket Nos. G-15243, G-16200; Permian Basin Pipeline Co., Docket No. G-11581; Sinclair Oil and Gas Co., Docket Nos. G-11414, G-16370; Phillips Petroleum Co., Docket No. G-11990; Pioneer Production Corp., Docket No. G-11576; Humble Oil & Refining Co., Docket Nos. G-14840, G-15249; The Atlantic Refining Co., Docket No. G-14582; Magnolia Petroleum Co., Docket No. G-15185; Cosden Petroleum Corp., Docket No. G-15219; Western Natural Gas Co., Docket No. G-15300; Harvey J. Weir, Sr., Docket No. G-15331; Joe R. Weir, Docket No. G-15332; Paula R. Hicks, individually and as Tutrix (administrator), Docket No. G-15333; F. E. Fuselier, Trustee, Docket No. G-15334; Ash Robinson, Docket No. G-15349; M. N. Stafford, Jr., Docket No. G-15369; M. N. Stafford, Docket No. G-15383; Pan American Petroleum Corp., Docket No. G-15386; Caroline Hunt Trust Estate, Docket No. G-15432; Dalton H. Cobb, Docket No. G-16459; Tri-Service Drilling Co., Docket No. G-15502; Willets & Craig, Docket No. G-16874.

Take notice that each of the above-designated applicants has filed an application for a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, requesting authorization for either the sale of natural gas and the construction and operation of facilities, or both, subject to the jurisdiction of the Commission, all as more fully represented in each of their respective applications on file with the Commission and open to public inspection.

Take further notice that Docket Nos. G-15243, G-15251, G-14840, G-15300, G-15331, G-15332, G-15333, G-15334, G-15349, G-15369 and G-15383, heretofore set for hearing on October 28, 1958 (notice and hearing date published October 7, 1958, 23 F.R. 7738) and postponed on October 20, 1958, and the other enumerated dockets designated above are consolidated for the purposes of hearing.

Pioneer's application in Docket No. G-11548, filed November 29, 1956, proposes the construction and operation of facilities in Sutton and adjoining counties in the State of Texas for the purpose of purchasing and transporting natural gas from wells and gasoline plants and selling the gas purchased to Permian Basin Pipeline Company (Permian) at an inlet to Permian's system at a point in Schleicher County, Texas. The proposed system is intended as a nucleus for the extension of facilities to additional natural gas supplies which may be developed and for the transportation and disposal of such natural gas to Permian and to other interstate or intrastate pipelines. The designed capacity is 80,000 Mcf per day. By amendment filed August 5, 1958, Pioneer proposed changes in facilities described in its application filed November 26, 1956. Pioneer states in the amendment that if transportation by El Paso is approved as requested in Docket No. G-16200, Pioneer will file a withdrawal of its application in Docket No. G-14745. The facilities proposed in the amendment are described as follows:

Main Line—Vinegarone field to Permian sales point:	*Estimated cost*
27 miles, 12¾-inch line	$973,200
23.5 miles, 16-inch line	969,200
Co_2 removal plant	190,000
Regulating and measuring station	16,700
Subtotal main line	2,149,100
Sonora field, well measuring and regulating station	11,500
Vinegarone field:	
1.38 miles 4, 6, and 8-inch lines, 4 meter regulating stations	44,400
5.31 miles 4, 6, and 8-inch field lines to El Paso wells and delivery measuring station	84,300
Subtotal Vinegarone	128,700
Hulldale field:	
18.1 miles 8⅝-inch line, Sinclair plant to Permian sales point	367,700
1,620 horsepower compressor station	421,900
Regulating and measuring; Sinclair plant and Permian sales point	$15,700
Subtotal Hulldale	805,300
General property and equipment	84,600
Total facility cost—Docket No. G-11548	3,179,200
Interest during construction	106,533
Total, Docket No. G-11548	3,285,733

On March 24, Pioneer Gathering System, Inc. (Pioneer), filed in Docket No. G-14745 an application for a certificate of public convenience and necessity authorizing the construction and operation of approximately 6.5 miles of 4½-inch lateral supply pipeline and field lines to extend from a point of connection with its existing 16-inch transmission pipeline in Schleicher County, Texas, to two gas wells in the Buckhorn Field in Schleicher County, together with a dehydration plant and 2 meter stations to be installed in said field as well as all necessary appurtenances, in order to initially purchase and receive 600 Mcf daily of natural gas produced in the Buckhorn Field by The Atlantic Refining Company (Atlantic). The total initial cost of the facilities is $86,500 which cost will be initially financed by Pioneer in the amount of approximately $60,500 with short-term borrowing from its parent company (Pioneer Natural Gas Company), and the remainder from cash on hand and cash from operations.

Pioneer proposes in Docket No. G-15251 to construct and operate the following facilities to effectuate the delivery of natural gas to El Paso in accordance with an exchange arrangement with El Paso:

(a) Approximately 5.3 miles of field lines varying in outside diameter from 4½ inches to 8⅝ inches, to extend from points of connection at the well heads of El Paso's wells in Vinegarone Field, to a point of connection on Pioneer's existing facilities in the Vinegarone Field.

(b) Metering facilities to be located at the point of junction in Schleicher County, Texas, of El Paso's Sonora line and Pioneer's Vinegarone line and other necessary appurtenances.

The estimated total initial cost of El Paso's proposed facilities in Docket No. G-15243 is $849,000, and of Pioneer in Docket No. 15251 is $85,300.

Pioneer proposes in Docket No. G-15034 to construct and operate approximately 14 miles of 4-inch lateral supply pipeline to extend southwesterly from a point of connection with its existing 16-inch transmission pipeline in Schleicher County, Texas, to two gas wells in the Clayton Ranch Field in Crockett County, Texas, together with a dehydration plant and two meter stations to be installed in said field, and all necessary appurtenances, in order to purchase and receive natural gas produced by Magnolia Petroleum Company (Magnolia), Pan American Petroleum Corporation, Operator (Pan American), Cosden Petroleum Corporation (Cosden), and Tri-Service Drilling Company (Tri-Service), all as more fully set forth in the applica-

tion which is on file with the Commission and open to public inspection.

The estimated total initial cost of the facilities proposed in Docket No. G–15034 is $190,000 which cost will be financed by Pioneer in the amount of approximately $160,000 with short-term borrowing from its parent company (Pioneer Natural Gas Company), and the remainder from current working funds.

Pioneer Gathering System, Inc. (Pioneer), filed in Docket No. G–16550 on October 9, 1958, an application for a certificate of public convenience and necessity authorizing the construction and operation of approximately 13 miles of 4½-inch O.D. lateral supply pipeline to extend from a point of connection with its existing 4½-inch lateral supply pipeline at or near the Addie Clayton "A" well in Clayton Ranch area, Crockett County, Texas, and extending northwesterly to a proposed meter station and necessary appurtenances to be installed at a point of connection with the Melissa Childress Smith No. 1–16 Well in Buckhorn (Ellenburger) Field in Crockett County, in order to purchase and transport natural gas produced by Elmore A. Willets, Jr., and Earl M. Craig, Jr., doing business at Willets & Craig (Willets), from said well, subject to the jurisdiction of the Commission, all as more fully described in the application on file with the Commission, and open to public inspection.

The estimated initial cost of Pioneer's facilities is $113,000, which cost will be financed by short-term borrowing of approximately $90,000 from its parent company, Pioneer Natural Gas Company, and the balance from cash on hand and cash from operations.

Applicants in Docket Nos. G–14840, G–15300, G–15331, G–15332, G–15333, G–15334, G–15349, G–15369 and G–15383, propose to sell natural gas produced in the Vinegarone Field, Val Verde County, Texas, in interstate commerce to El Paso Natural Gas Company (El Paso) for transportation and resale for ultimate public consumption. El Paso proposes in Docket No. G–15243 to construct and operate the following facilities, and properties to effectuate the delivery of natural gas to Pioneer Gathering System, Inc. (Pioneer), under an exchange arrangement with Pioneer:

(1) The necessary field pipeline and related facilities in Sonora Field to transport natural gas available to Pioneer.

(2) The necessary field facilities to transport natural gas available to El Paso from Vinegarone Field.

El Paso Natural Gas Company (El Paso), filed an application in Docket No. G–16200 on September 2, 1958, requesting authority to transport natural gas available to Pioneer in the Buckhorn Field, Schleicher County, Texas, for the account of Pioneer, which transportation is to be performed pursuant to the terms of the contract for the transportation and exchange of gas which was the subject of El Paso's application, Docket No. G–15243, and Pioneer's related application, Docket No. G–15251.

On December 10, 1956, Permian Basin Pipeline Company (Permian), filed a companion application in Docket No. G–11581 covering the facilities necessary to receive and transport the natural gas to be received from Pioneer in volumes up to 80,000 Mcf per day. Supplements to the application were filed February 11, 1957, and March 5, 1957.

On September 18, 1958, Pioneer Gathering System, Inc. (Pioneer), filed in Docket No. G–16344, an application for a certificate of public convenience and necessity authorizing the construction and operation of approximately 2 miles of 2⅜-inch O.D. lateral supply pipeline, together with all necessary appurtenances, to extend from a point of connection with an existing 16-inch transmission pipeline of Permian Basin Pipeline Company (Permian) in Irion County, Texas, and extending easterly to the outlet of Sinclair Oil & Gas Company's (Sinclair) Ketchum Mountain Plant located in the Ketchum Mountain Field, Irion County, in order to purchase and receive daily volumes of residue gas amounting to approximately 670 Mcf from Sinclair, subject to the jurisdiction of the Commission, all as more fully described in the application on file with the Commission and open for public inspection. The estimated total initial cost of Pioneer's facilities is $13,100, which cost will be financed with cash on hand and from operations.

On September 22, 1958, Sinclair, Operator, filed in Docket No. G–16370, an application pursuant to section 7 of the Natural Gas Act for a certificate of public convenience and necessity covering the above sale of residue gas to Pioneer, to be made pursuant to a gas sales contract dated August 22, 1958, executed by and between Pioneer and Sinclair, the sole signatory seller party, subject to the jurisdiction of the Commission, all as more fully described in the application on file with the Commission and open for public inspection.

Exhibit 3 to Sinclair's application consists of a map which delineates the acreage controlled by Sinclair in the Ketchum Mountain Field. The gas processed in Sinclair's plant is from Sinclair's production in the field.

Pioneer will transport the gas received from Sinclair, Operator, for redelivery to Permian, its sole customer in Irion County, Texas.

On November 17, 1958, Sinclair filed its gas sales contract as an initial rate schedule to cover the proposed service. The rate schedule is designated Sinclair Oil & Gas Company (operator), FPC Gas Rate Schedule No. 166. The rate schedule provides for an initial rate of 12.25 cents per Mcf at 14.65 psia and a schedule of 5-year periodic increases. The contract does not contain a "favored nation" clause.

The following listed independent producers filed applications pursuant to section 7 of the Natural Gas Act for certificates of public convenience and necessity authorizing the sale of natural gas in interstate commerce subject to the jurisdiction of the Commission, all as more fully described in the applications on file with the Commission and open to public inspection:

Applicant, Docket No., and Purchaser

Pioneer Production Corp.; G–11576; Pioneer Gathering System, Inc.

Sinclair Oil & Gas Co.;[1] G–11414; Pioneer Gathering System, Inc.

Phillips Petroleum Co.;[2] G–11990; Pioneer Gathering System, Inc.

Magnolia Petroleum Co.; G–15185; Pioneer Gathering System, Inc.

Cosden Petroleum Corp.; G–15219; Pioneer Gathering System, Inc.

Pan American Petroleum Corp.; G–15386; Pioneer Gathering System, Inc.

Tri-Service Drilling Co.; G–15502; Pioneer Gathering System, Inc.

The Atlantic Refining Co.; G–14852; Pioneer Gathering System, Inc.

Humble Oil & Refining Co.; G–15249; El Paso Natural Gas Co.

Caroline Hunt Trust Estate; G–15432; El Paso Natural Gas Co.

Willets & Craig; G–16874; Pioneer Gathering System, Inc.

The matters in the foregoing designated dockets should be heard on a consolidated record and disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on May 4, 1959, at 10:00 a.m., e.s.t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by the applications listed above.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before April 1, 1959.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 59–2017; Filed, Mar. 9, 1959; 8:45 a.m.]

[Docket No. G–14903 etc.]

SECURE TRUSTS ET AL.

Notice of Applications, Consolidation, and Date of Hearing

MARCH 4, 1959.

In the matters of Secure Trusts, Docket No. G–14903; Estate of Lyda Bunker Hunt, deceased, Docket No. G–14904; H. L. Hunt, Docket No. G–14905; The Texas Co., Docket No. G–15038; Olin Gas Transmission Corp., Docket No. G–15110; Earl G. Bateman d/b/a Bateman Drilling Co., operator, et al., Docket No. G–15141; Hunt Oil Co., operator, Docket No. G–15146; The California Co., Docket No. G–16680; Placid Oil Co., Docket No. G–

[1] Sinclair as plant operator, on behalf of Sinclair and Skelly Oil Company, covering gas produced from leases of both, and processed in Sinclair's No. 23 plant, both are signatories to the contract.

[2] Phillips as operator on behalf of Humble Oil & Refining Company and Regan J. Caroway, nonsignatory co-owners of leases.

17746; Gulf Oil Corp., Docket No. G–17760.

Take notice that the persons listed below (Applicants) have filed, pursuant to section 7(c) of the Natural Gas Act, separate applications for a certificate of public convenience and necessity in the above-captioned proceedings as hereinafter tabulated, authorizing Applicants to render service as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the applications which are on file with the Commission and open for public inspection.

Each Applicant proposes to sell natural gas in interstate commerce from production of certain leases, units or acreage as tabulated below to Southern Natural Gas Company (Southern) for resale.

Docket No.	Date filed	Applicant and address	Source of gas	Contract date and initial price in cents per Mcf at 15.025 psia
G–14903	Apr. 22, 1958	Secure Trusts being Secure Trusts Nos. 1, 2, 3, 4 and 5 organized under the laws of Texas, 700 Mercantile Bank Building, Dallas, Tex.	Coffee Bay Field, Lafourche Parish, La.	Apr. 2, 1958 [1] 23.55
As suppl	Feb. 9, 1959			
G–14904	Apr. 22, 1958	Estate of Lyda Bunker Hunt, deceased, 700 Mercantile Bank Building, Dallas, Tex.	do	Apr. 2, 1958 [1] 23.55
As suppl	Feb. 9, 1959			
G–14905	Apr. 22, 1958	H. L. Hunt, 700 Mercantile Building, Dallas, Tex.	do	Apr. 2, 1958 [1] 23.55
As suppl	Feb. 9, 1959			
G–15038	May 5, 1958	The Texas Co., P.O. Box 2332, Houston 1, Tex.	Felice Bayou Field, Plaquemines Parish, La.	Apr. 10, 1958 [2] 20.75
G–15110	May 15, 1958	Olin Gas Transmission Corp., 1700 Commerce Building, New Orleans, La.	Coffee Bay Field, Lafourche Parish, La.	Apr. 2, 1958 [1] 23.55
As suppl	Feb. 6, 1959			
G–15141	May 21, 1958	Earl G. Bateman, d/b/a Bateman Drilling Co., No. 420 The Saratoga Building, New Orleans, La., as Operator for himself and for P. R. Rutherford, George R. Brown, and John F. Bricker & Co.	Felice Bayou Field, Plaquemines Parish, La.	Apr. 10, 1958 [2] 20.75
G–15146	May 22, 1958	Hunt Oil Co., 700 Mercantile Bank Building, Dallas, Tex., as Operator for itself and for Pan American Petroleum Corp.	Triumph Field, Plaquemines Parish, La.	Apr. 2, 1958 [3] 23.55
As suppl	June 30, 1958			
and	Feb. 9, 1959			
G–16680	Oct. 21, 1958	The California Co., 800 The California Co. Building, New Orleans 12, La.	Lake St. John Field, Concordia and Tensas Parishes, La., and Cranfield Field, Adams and Franklin Counties, Miss.	Oct. 10, 1958 [4] 23.675 [5] 21.5
As suppl	Feb. 6, 1959			
G–17746	Jan. 29, 1959	Placid Oil Co., 418 Market Street, Shreveport, La.	Cranfield Field, Adams and Franklin Counties, Miss.	Jan. 16, 1959 [5] 21.5
As suppl	Feb. 9, 1959			
G–17760	Feb. 2, 1959	Gulf Oil Corp., P. O. Drawer 2100, Houston 1, Tex.	do	Jan. 12, 1959 [5] 21.5
As suppl	Feb. 11, 1959			

[1] Includes 2.05 cents per Mcf tax and 1.0 cent per Mcf for delivery of gas as per contract.
[2] Includes 1.75 cents per Mcf for tax and assumes all recoverable reserves available to Southern in field total at least 40,000,000 Mcf. If more than 40,000,000 Mcf, an initial contract price of 20.25 cents per Mcf is provided in lieu of initial contract price of 19.00 cents per Mcf.
[3] Includes 2.05 cents per Mcf for tax.
[4] Includes 2.175 cents per Mcf for tax (for Louisiana).
[5] 21.5 base rate plus applicable tax reimbursement in Mississippi.

Notice of the filing of the application of The California Company in Docket No. G–16680 together with its consolidation for purposes of hearing with other applications not here relevant was issued on December 4, 1958, and published in the FEDERAL REGISTER on December 11, 1958 (23 F.R. 9620). By subsequent notice issued on December 11, 1958, and published in the FEDERAL REGISTER on December 17, 1958 (23 F.R. 9736), the application in Docket No. G–16680 was severed from those applications with which it had been consolidated as aforesaid and the hearing thereof continued to a date to be set by further notice. No such further notice has subsequently been issued.

In its application in Docket No. G–15038, The Texas Company seeks a certificate "limited to the term of the contract."

These related matters should be heard on a consolidated record and disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on April 15, 1959, at 10:00 a.m., e.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such applications.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 C.F.R. 1.8 or 1.10) on or before March 25, 1959.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

[F.R. Doc. 59–2018; Filed, Mar. 9, 1959; 8:46 a.m.]

[Docket No. G–16447]

NORTHERN NATURAL GAS CO.

Notice of Application and Date of Hearing

MARCH 4, 1959.

Take notice that on September 26, 1958, Northern Natural Gas Company (Applicant) filed in Docket No. G–16447 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the rendition of economy replacement service (ERS or peaking service) on a day-to-day basis to its existing utility customers during the 1958–59 heating season ending May 1, 1959, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

The purpose of this proposed service is to reduce or eliminate where possible the manufacture of high cost peaking service gas by the utility customers. No additional facilities are contemplated.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on April 9, 1959, at 9:30 a.m., e.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such application: *Provided, however,* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before March 27, 1959. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

[F.R. Doc. 59–2019; Filed, Mar. 9, 1959; 8:46 a.m.]

[Docket No. G–17936]

CONTINENTAL OIL CO.

Order for Hearing and Suspending Proposed Change in Rates

MARCH 4, 1959.

Continental Oil Company (Continental) on February 2, 1959, tendered for filing a proposed change in its presently effective rate schedule [1] for sales of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and

[1] Present rate previously suspended and is in effect subject to refund in Docket No. G–15571 (Louisiana gathering tax increase).

charge, is contained in the following designated filing:

Description: Notice of Change, undated.
Purchaser: Transcontinental Gas Pipe Line Corporation.
Rate schedule designation: Supplement No. 7 to Continental's FPC Gas Rate Schedule No. 161.
Effective date: March 5, 1959 (stated effective date is the effective date proposed by Continental).

In support of the proposed favored-nation rate increase, Continental submits a notification letter dated December 11, 1958, from its buyer, Transcontinental Gas Pipe Line Corporation, advising Continental that on December 4, 1958, it commenced the purchase of gas in the favored-nation area from Pan American Petroleum Corporation at a base rate of 21.5 cents per Mcf plus tax reimbursement of 2.05 cents per Mcf. Continental also states that the basic contract was negotiated at arm's length and the proposed rate is not a change in rate but is part of the initial rate.

The increased rate and charge so proposed has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change, and that Supplement No. 7 to Continental's FPC Gas Rate Schedule No. 161 be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in Supplement No. 7 to Continental's FPC Gas Rate Schedule No. 161.

(B) Pending such hearing and decision thereon, said supplement be and it is hereby suspended and the use thereof deferred until August 5, 1959, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

(D) Interested State commissions may participate as provided by §§ 1.8 and 1.37(f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37(f)).

By the Commission.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

[F.R. Doc. 59-2020; Filed, Mar. 9, 1959; 8:46 a.m.]

[Docket No. G-17937]

PURE OIL CO.

Order for Hearing and Suspending Proposed Changes in Rates

MARCH 4, 1959.

The Pure Oil Company (Pure Oil) on February 2, 1959, tendered for filing proposed changes in its presently effective rate schedules[1] for sales of natural gas subject to the jurisdiction of the Commission. The proposed changes, which constitute increased rates and charges, are contained in the following designated filings:

Description: Notices of Change, undated.
Purchaser: El Paso Natural Gas Company.
Rate schedule designation: Supplement No. 8 to Pure Oil's FPC Gas Rate Schedule No. 26. Supplement No. 6 to Pure Oil's FPC Gas Rate Schedule No. 31.
Effective date: March 5, 1959 (stated effective date is the effective date proposed by Pure Oil).

In support of the proposed favored-nation rate increases, Pure Oil states that the gas sales contracts were negotiated at arm's length, that the favored-nation clauses contained therein were designed to assure seller the fair market value of its gas over the long term, and that the rates proposed herein are no more than the fair market value of the gas sold.

The increased rates and charges so proposed have not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed changes, and that Supplements Nos. 8 and 6 to Pure Oil's FPC Gas Rate Schedules Nos. 26 and 31, respectively, be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rates and charges contained in Supplements Nos. 8 and 6 to Pure Oil's FPC Gas Rate Schedules Nos. 26 and 31, respectively.

(B) Pending such hearing and decision thereon, said supplements be and they are each hereby suspended and the use thereof deferred until August 5, 1959, and until such further time as they are made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplements hereby suspended nor the rate schedules sought to be altered thereby shall be changed until this proceeding has been disposed of or until the periods of suspension have expired, unless otherwise ordered by the Commission.

(D) Interested State commissions may participate as provided by §§ 1.8 and 1.37(f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37(f)).

By the Commission (Commissioner Kline dissenting as to the suspension of Supplement No. 6 to FPC Gas Rate Schedule No. 31).

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

[F.R. Doc. 59-2021; Filed, Mar. 9, 1959; 8:46 a.m.]

[1] Supplement No. 7 to Pure Oil's FPC Gas Rate Schedule No. 26 previously suspended and is now in effect subject to refund in Docket No. G-14049.

[Docket No. G-17938]

MAGNOLIA PETROLEUM CO.

Order for Hearing and Suspending Proposed Changes in Rates

MARCH 4, 1959.

Magnolia Petroleum Company (Magnolia) on February 2, 1959, tendered for filing proposed changes in its presently effective rate schedules[1] for sales of natural gas subject to the jurisdiction of the Commission. The proposed changes, which constitute increased rates and charges, are contained in the following designated filings:

Description: Notices of Change, undated.
Purchaser: Natural Gas Pipeline Company of America.
Rate schedule designation: Supplement No. 9 to Magnolia's FPC Gas Rate Schedule No. 63. Supplement No. 8 to Magnolia's FPC Gas Rate Schedule No. 88.
Effective date: March 21, 1959 (stated effective date is the effective date proposed by Magnolia).

In support of the proposed periodic rate increases, Magnolia states that the contracts were negotiated at arm's length, that the proposed rates are an adjustment in the initial prices, and that the price of gas is a commodity price determined by supply and demand. Magnolia further states that the proposed prices do not exceed the current price provided by other contracts in the same field, that the cost of doing business has steadily increased, and that the increases are necessary to attract the needed risk capital.

The increased rates and charges so proposed have not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed changes, and that Supplements Nos. 9 and 8 to Magnolia's FPC Gas Rate Schedules Nos.

[1] Present rates previously suspended and are in effect subject to refund in Docket Nos. G-14615 and G-14725. Also subject to Commission's orders in Docket Nos. G-12229 and G-13195.

63 and 88, respectively, be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rates and charges contained in Supplements Nos. 9 and 8 to Magnolia's FPC Gas Rate Schedules Nos. 63 and 88, respectively.

(B) Pending such hearing and decision thereon, said supplements be and they are each hereby suspended and the use thereof deferred until August 21, 1959, and until such further time as they are made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplements hereby suspended nor the rate schedules sought to be altered thereby shall be changed until this proceeding has been disposed of or until the periods of suspension have expired, unless otherwise ordered by the Commission.

(D) Interested State commissions may participate as provided by §§ 1.8 and 1.37(f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37(f)).

By the Commission (Commissioners Kline and Hussey dissenting).

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

[F.R. Doc. 59-2022; Filed, Mar. 9, 1959; 8:46 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

MARCH 5, 1959.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 35275: *Sand and gravel—Dickason Pit, Ind., to Pittwood, Ill.* Filed by Illinois Freight Association, Agent (No. 46), for the Chicago & Eastern Illinois Railroad Company. Rates on sand and gravel, carloads from Dickason Pit, Ind., to Pittwood, Ill.

Grounds for relief: Motor truck competition.

Tariff: Supplement 144 to Chicago & Eastern Illinois Railroad Company's tariff I.C.C. 144.

FSA No. 35276: *Sheet or plate—Chicago, Ill., group to Twin Cities.* Filed by Western Trunk Line Committee, Agent (No. A-2045), for interested rail carriers. Rates on sheet or plate, iron or steel, carloads from Chicago and South Chicago, Ill., Gary, Hammond, and Indiana Harbor, Ind., to Minneapolis, Minnesota Transfer, and St. Paul, Minn.

Grounds for relief: Competition of water carriers by barge.

Tariff: Supplement 188 to Western Trunk Line Committee tariff I.C.C. A-3910.

By the Commission.

[SEAL] HAROLD D. MCCOY, *Secretary.*

[F.R. Doc. 59-2033; Filed, Mar. 9, 1959; 8:48 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-3763]

MICHIGAN CONSOLIDATED GAS CO. AND AMERICAN NATURAL GAS CO.

Notice of Filing Regarding Proposal by Subsidiary To Increase Authorized Capital Stock and To Issue and Sell to Parent Additional Shares of Common Stock

MARCH 2, 1959.

Notice is hereby given that Michigan Consolidated Gas Company ("Michigan Consolidated"), a public-utility company, and its parent company, American Natural Gas Company ("American"), a registered holding company, have filed a joint application-declaration, pursuant to the Public Utility Holding Company Act of 1935 ("Act"), and have designated sections 6(b), 9, 10 and 12(f) of the Act and Rules 43 and 50(a)(3) promulgated thereunder as applicable to the proposed transactions.

Michigan Consolidated proposes to increase its authorized capital stock from 7,700,000 shares to 8,200,000 shares by amendment of its Articles of Incorporation and to issue and sell 500,000 shares of its common stock, par value $14 per share, to American for a cash consideration of $7,000,000.

The proceeds from the proposed sale of common stock are to be used by Michigan Consolidated to finance part of its construction program for 1959 estimated at $34,000,000 and covering additions to and improvements of its distribution and transmission system and underground storage facilities.

The estimated fees and expenses to be incurred by Michigan Consolidated in connection with the proposed transactions are as follows:

Federal original issue tax	$7,000
Michigan Public Service Commission fee	7,000
Michigan Corporation and Securities Commission fee	3,500
Counsel fees:	
Dyer, Meek, Ruegsegger & Bullard	1,000
Sidley, Austin, Burgess & Smith	1,000
American Natural Gas Service Company—services at cost	500
	20,000

Michigan Consolidated has applied to the Michigan Public Service Commission for authority to issue and sell its common stock and a copy of the order entered in respect thereof is to be supplied by amendment. It is represented that no other State commission and no Federal commission, other than this Commission, has jurisdiction over any of the proposed transactions.

Notice is further given that any interested person may, not later than March 16, 1959, request in writing that a hearing be held in respect of such matters, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by the application-declaration which he desires to controvert, or he may request that he be notified should the Commission order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D.C. At any time after said date the application-declaration as filed, or as it may be hereafter amended, may be granted and permitted to become effective as provided by Rule 23 promulgated under the Act, or the Commission may grant exemption from its rules under the Act as provided by Rules 20(a) and 100 thereof, or take such other action as it may deem appropriate.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 59-2027; Filed, Mar. 9, 1959; 8:47 a.m.]

[File No. 70-3764]

OHIO EDISON CO.

Notice of Proposed Issuance and Sale of Principal Amount of Bonds at Competitive Bidding, Proposed Issuance of Bonds for Sinking Fund Purposes and Proposed Revision of the Maintenance and Replacement Requirement of Indenture

MARCH 3, 1959.

Notice is hereby given that Ohio Edison Company ("Ohio"), a registered holding company and a public-utility company, has filed with this Commission a declaration pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6(a) and 7 of the Act and Rule 50 promulgated thereunder as applicable to the proposed transactions which are summarized as follows:

Ohio proposes to issue and sell, pursuant to the competitive bidding requirements of Rule 50 promulgated under the Act, $30,000,000 principal amount of its First Mortgage Bonds ("New Bonds"), -- percent Series due 1989. The interest rate on the New Bonds (which will be a multiple of ⅛ of 1 percent) and the price, exclusive of accrued interest, to be paid to Ohio (which will not be less than 100 percent nor more than 102¾ percent of the principal amount thereof) will be determined by the competitive bidding. Bids will be invited as soon as market conditions appear appropriate, but in no event later than September 30, 1959.

The New Bonds are proposed to be issued under Ohio's Indenture of Mortgage and Deed of Trust ("Mortgage") dated as of August 1, 1930 to Bankers Trust Company, as Trustee, as heretofore amended and supplemented and as proposed to be further amended and supplemented by a Fifteenth Supplemental Indenture to be dated as of the first day of the calendar month in which the New Bonds are issued.

Ohio estimates that its expenditures for construction in 1959 will amount to $55,500,000 and that the proceeds from the sale of the New Bonds, together with cash on hand and that to be derived from operations, will be sufficient to provide for such expenditures. Ohio contemplates additional financing in 1960 to meet its cash requirements for that year.

Ohio also proposes to issue on or about May 1, 1959, November 1, 1959, May 1, 1960 and November 1, 1960, upon the basis of property additions under Article V of the Mortgage, an aggregate of up to $4,181,000 principal amount of its First Mortgage Bonds ("Sinking Fund Bonds"), 3¼ percent Series due 1985. Ohio intends to surrender the Sinking Fund Bonds to the Trustee for cancellation as the basis for the withdrawal of cash to be deposited with the Trustee during 1959 and 1960 pursuant to the Sinking and Improvement Fund provisions of the Mortgage.

In its supplemental indenture executed in 1958 in connection with the issue and sale of its 4¼ percent series bonds due 1988, the company covenanted that so long as any bonds of such series were outstanding it would expend for maintenance and replacement for all periods subsequent to December 31, 1957, a sum equal to 3.4 percent of the average amount of its utility plant as defined in its mortgage, or such other percentage (not less than 3 percent) which, upon application, should be authorized by this Commission. The company now proposes an amendment, which is to remain in effect as long as any of the 1988 series bonds or New Bonds remain outstanding, whereby, in addition to its actual maintenance expenditures, the company will deposit annually with the Trustee, for the replacement of property, cash or principal amount of bonds, or certify property additions equal to 2¼ percent of the average depreciable property less an appropriate credit for the annual sinking fund requirements in excess of 1 percent of the principal amount of bonds at any one time outstanding.

The declaration states that the Public Utilities Commission of Ohio has jurisdiction over the proposed issuance and sale of the New Bonds and the issuance and use of the Sinking Fund Bonds and that an application for approval is being filed with said Commission.

Fees and expenses in connection with the proposed transactions are to be filed by amendment.

Notice is further given that any interested person may, not later than March 17, 1959, at 5:30 p.m., request the Commission in writing that a hearing be held on such matters, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said filing which he desires to controvert, or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D.C. At any time after said date, the declaration, as hereafter amended, may be permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 59-2028; Filed, Mar. 9, 1959; 8:47 a.m.]

[File No. 24SF-2433]

ELJO OIL & MINING CORP.

Notice of and Order for Hearing

MARCH 4, 1959.

I. Eljo Oil & Mining Corp., a Nevada corporation, filed with the Commission on August 12, 1957, a notification and offering circular relating to a proposed offering of 250,000 shares of its $1 par value common stock at $1.00 per share for an aggregate offering of $250,000, for the purpose of obtaining an exemption from the registration requirements of the Securities Act of 1933, as amended, pursuant to the provisions of section 3(b) thereof and Regulation A promulgated thereunder.

II. The Commission on January 12, 1959 issued an order pursuant to Rule 261 of the general rules and regulations under the Securities Act of 1933, as amended, temporarily suspending the conditional exemption under Regulation A, and affording to any person having an interest therein an opportunity to request a hearing pursuant to Rule 261. A written request for hearing was received by the Commission.

The Commission, deeming it necessary and appropriate to determine whether to vacate the temporary suspension order or to enter an order permanently suspending the exemption,

It is hereby ordered, That a hearing under the applicable provisions of the Securities Act of 1933, as amended, and the rules of the Commission be held at the Los Angeles Branch Office of the Commission, Room 309, Guaranty Building, 6331 Hollywood Boulevard, Los Angeles 28, California, 10:00 a.m., March 23, 1959, with respect to the following matters and questions without prejudice, however, to the specification of additional issues which may be presented in these proceedings:

A. Whether the conditional exemption provided by Regulation A is not available for the securities purported to be offered in that:

1. The issuer has failed to comply with the terms and conditions of Regulation A, particularly in that:

(a) It has offered its securities in a jurisdiction not set forth in Item 8(b) of Form 1-A of Regulation A.

(b) It has failed to file sales literature, as required by Rule 258 of Regulation A.

2. The offering circular contains untrue statements of material facts, fails to reflect material changes which have occurred in the affairs of the company, and omits to state material facts necessary in order to make the statements made, in the light of the circumstances under which they are made, not misleading, particularly with respect to:

(a) The acquisition of new properties; and

(b) The use of proceeds from the sale of stock.

B. Whether the order dated January 12, 1959 temporarily suspending the exemption under Regulation A should be vacated or made permanent.

III. *It is further ordered,* That William W. Swift or any officer or officers of the Commission designated by it for that purpose shall preside at the hearing, and any officer or officers so designated to preside at any such hearing are hereby authorized to exercise all of the powers granted to the Commission under sections 19(b), 21, and 22(c) of the Securities Act of 1933, as amended, and to hearing officers under the Commission's rules of practice.

It is further ordered, That the Secretary of the Commission shall serve a copy of this order by registered mail on Eljo Oil & Mining Corp., that notice of the entering of this order shall be given to all other persons by general release of the Commission and by publication in the FEDERAL REGISTER. Any person who desires to be heard or otherwise wishes to participate in such hearing shall file with the Secretary of the Commission on or before March 20, 1959, a request relative thereto as provided in Rule XVII of the Commission's rules of practice.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 59-2029; Filed, Mar. 9, 1959; 8:47 a.m.]

[File No. 21-224]

NATIONAL CAPITAL BANK OF WASHINGTON

Notice of Application To Strike From Listing and Registration, and of Opportunity for Hearing

MARCH 4, 1959.

In the matter of The National Capital Bank of Washington, capital stock; File No. 21-224.

Philadelphia-Baltimore Stock Exchange has made application, pursuant to section 12(d) of the Securities Exchange Act of 1934 and Rule 12d2-1(b) promulgated thereunder, to strike the specified security from listing and registration thereon.

The reasons alleged in the application for striking this security from listing and registration include the following:

This application is made by the Exchange at the request of the issuer, by reason of the inactivity of the stock on said Exchange.

Upon receipt of a request, on or before March 20, 1959, from any interested person for a hearing in regard to terms to be imposed upon the delisting of this security, the Commission will determine whether to set the matter down for hearing. Such request should state briefly the nature of the interest of the person requesting the hearing and the position he proposes to take at the hearing with respect to imposition of terms. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington 25, D.C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application and other information contained in the official file of the Commission pertaining to the matter.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 59-2030; Filed, Mar. 9, 1959; 8:47 a.m.]

SMALL BUSINESS ADMINISTRATION

[Delegation of Authority 1 (Revision 4), Amdt. 4]

DEPUTY ADMINISTRATOR FOR ADMINISTRATION

Delegation Relating to Administration

Delegation of Authority No. 1 (Revision 4), as amended (22 F.R. 6540, 23 F.R. 2801, 8435, 10574), is hereby further amended by deleting subsection I.B. 19. in its entirety and substituting the following in lieu thereof:

19. To enter into contracts for supplies and services relating to the authorized programs of SBA, other than administrative programs, pursuant to the Delegation of Authority from the Administrator of the General Services Administration to the Administrator of the Small Business Administration, issued under the Federal Property and Administrative Service Act of 1949 (63 Stat. 377), as amended.

Dated: January 27, 1959.

WENDELL B. BARNES,
Administrator.

[F.R. Doc. 59-2031; Filed, Mar. 9, 1959; 8:47 a.m.]

[Delegation of Authority 30-XV-1 (Revision 1)]

CHIEF, FINANCIAL ASSISTANCE DIVISION

Delegation Relating to Financial Assistance Functions

I. Pursuant to the authority vested in the Regional Director by Delegation of Authority No. 30 (Revision 4), as amended (22 F.R. 5811, 8197, 23 F.R. 557, 1768), there is hereby delegated to the Chief, Financial Assistance Division, the authority:

A. *Specific.* To take the following actions in accordance with the limitations of such delegations as set forth in SBA-500, Financial Assistance Manual:

1. To approve the following types of loans:

(a) Direct business loans in an amount not exceeding $20,000;

(b) Participation business loans in an amount not exceeding $100,000.

2. To approve disaster loans in an amount not exceeding $50,000.

3. To decline disaster loans.

4. To approve or decline Limited Loan Participation loans.

5. To enter into Disaster Participation Agreements with banks.

6. To execute loan authorizations for Washington approved loans and for loans approved under delegated authority, said execution to read as follows:

WENDELL B. BARNES,
Administrator,
By ----------
Chief,
Financial Assistance Division.

7. To modify or amend authorizations for business or disaster loans approved by the Administrator, the Deputy Administrator for Financial Assistance, the Director, Office of Financial Assistance, or the Chairman, Loan Review Board, by the issuance of Certificates of Modification, and to modify or amend authorizations for loans approved under delegated authority in any manner consistent with the original authority to approve loans.

8. To extend the disbursement period on all loan authorizations or undisbursed portions of loans.

9. To cancel wholly or in part undisbursed balances of partially disbursed loans and deferred participation agreements, where the Administration has not purchased its participation.

10. To approve, after disbursement or partial disbursement, the salary of new employees, not to exceed $10,000 per annum.

11. To approve, when requested, in advance of disbursement, conformed copies of notes and other closing documents and certify to the participating bank that such documents are in compliance with the participation authorization.

12. To do and to perform all and every act and thing requisite, necessary and proper to be done for the purpose of effecting the servicing, administration and liquidation of any disaster loan including, without limiting the generality of the foregoing, all powers, terms, conditions, and provisions as authorized herein for other loans. Said powers, terms, conditions and provisions shall apply to all documents, agreements or other instruments heretofore or hereafter executed in connection with any loan included in the above functions where such documents, agreements or other instruments are now, or shall be hereafter, in the name of the Reconstruction Finance Corporation or the Small Business Administration.

13. To take the following actions in the administration, collection and liquidation of business or disaster loans:

(a) Approve or reject substitutions of accounts receivable and inventories.

(b) Release, or consent to the release of inventories, accounts receivable or cash collateral, real or personal property, offered as collateral on loan, including the release of all collateral when loan is paid in full.

(c) Release dividends on life insurance policies held as collateral for loans, approved the application of same against premiums due; release or consent to the release on participation loans, of insurance funds covering loss or damage to property securing the loan and expired hazard insurance policies.

(d) Approve the sale of real or personal property and the exchange of equipment held as collateral on loans.

(e) Defer until final maturity date payments on principal falling due prior to or within thirty days after initial disbursement and provide for the coincidence of principal and interest payments.

(f) Designate proxies to vote at stockholders meetings on stock held as collateral, and determine how such shares are to be voted.

(g) Reinstate terms of payment provided in the Borrower's note upon cancellation of authority to foreclose, termination of litigation, or correction of any other situation which caused the loan to be classified as a problem loan.

(h) Effect the purchase of the Administration's agreed portion of a participation loan upon the request of the participating institution, consent to the sale to another institution of the SBA portion of a participation loan, and to cancel any deferred participation agreement upon request of the institution.

14. To take the following actions in the administration of fisheries' loans:

(a) Amend loan authorizations.

(b) Extend the period of disbursement of loans of $50,000 or less for a period not to exceed four months.

(c) Amend the hull insurance provision of any authorization issued prior to January 31, 1958, for a loan of $10,000 or less.

(d) Cancel loan authorizations prior to disbursement upon the written request of the applicant.

(e) Disburse fisheries' loans in the same manner as SBA business loans.

(f) Administer fisheries' loans within the same authority exercised with respect to SBA loans.

15. To take the following actions in all loans except those classified as "problem loans" or "in liquidation":

(a) Extend to the maturity of a loan or to a date prior to the maturity, one monthly principal payment in any calendar year, and not more than total of four such payments during the term of the loan, or one quarterly principal installment payment during the term of the loan, for loans with principal balances not exceeding $100,000.

(b) Carry loans which are delinquent or past-due not more than three months in such status for an additional period of not more than six months when the principal balances of such loans do not exceed $100,000.

(c) Extend the maturity of loans (within the statutory limitations) when the principal balances of such loans do not exceed $100,000.

(d) Approve or decline requests for changes in the repayment terms of notes for loans with principal balances not exceeding $100,000.

(e) Waive amounts due under net earnings clause.

(f) Approve requests to exceed fixed assets limitations and waive violations of this limitation.

(g) Approve payment of cash or stock dividends, payment of bonuses, increases in salaries, employment of new personnel, and waivers of violation of salary and bonus limitations, provided the Regional Director considers the bonuses and/or salary to be paid reasonable and that consent will not be given to any such payment if the payment will impair the borrower's cash position and if the loan is not current in all respects at the time the payment is made.

(h) Approve changes in use of loan proceeds in connection with partially disbursed loans.

(i) Waive violations of agreements to maintain working capital of a specified amount.

16. To reinstate any loan authorization cancelled prior to the first disbursement within six months from the date of the original authorization providing that no adverse change has occurred since the loan application was approved.

17. To accept and join with others in the acceptance of resignations of trustees under declarations of trust, trust indentures, deeds of trust and other trust instruments and agreements under which the Small Business Administration or its Administrator now or hereafter is a holder of any note, notes, bond, bonds, instrument or instruments issued pursuant thereto and secured thereby.

18. To remove and join with others in the removal of any trustee or trustees under any declarations of trust, trust indentures, deeds of trust and other trust instruments and agreements under which the Small Business Administration or its Administrator now or hereafter is a beneficiary and where the Small Business Administration or its Administrator now or hereafter is the holder of any note, notes, bond, bonds, instrument or instruments issued pursuant thereto and secured thereby.

19. To select and designate persons or corporations as original, substitute or successor trustees under declarations of trust, trust indentures, deeds of trust or other trust instruments or agreements under which the Small Business Administration or its Administrator now or hereafter is a beneficiary and where the Small Business Administration or its Administrator now or hereafter is the holder of any note, bond, or instrument issued pursuant thereto and secured thereby to accept on behalf of Small Business Administration or its Administrator beneficial interests in real or personal property.

20. To appoint, consent to or approve of the appointment and join with others in the appointment, consent or approval of appointment of substitute and successor trustee or trustees under any declarations of trust, trust indentures, deeds of trust and other trust instruments and agreements under which the Small Business Administration or its Administrator now or hereafter is a beneficiary and where the Small Business Administration or its Administrator now or hereafter is the holder of any note, notes, bond, bonds, instrument or instruments issued pursuant thereto and secured thereby.

21. To do and to perform all and every act and thing requisite, necessary and proper to be done for the purpose of effecting the granted powers, including, but without limiting the generality of the foregoing, the execution and delivery of quit claim, bargain and sale or special warranty deeds, leases, subleases, assignments, subordinations, satisfaction pieces, affidavits and such other documents as may be appropriate or necessary to effectuate the foregoing, and ratifying and confirming all that said Regional Director shall lawfully do or cause to be done by virtue hereof.

22. To take peaceable custody of collateral, as mortgagee in possession thereof or otherwise, whenever such action becomes necessary to protect the interests of or a loan made by SBA; to take all steps necessary for the preservation and protection of the property, pending foreclosure of the lien and sale of the collateral; and, to obligate the Administration in an amount not in excess of a total of $1,000 for any one loan, for those expenditures as may be required to accomplish these purposes.

23. To enter into written arrangements with custodians or caretakers of collateral covering their services, which shall not have the effect of making such persons employees of SBA but shall be limited to their temporary services, for the specific purpose involved.

24. To enter into written arrangements with owners of premises, when it is necessary to use a building not part of the loan collateral for the storage of chattels pending foreclosure and sale, for a period of not more than 90 days, including a period of 10 days after the date of sale of the collateral to permit orderly removal of the property from the premises.

25. To post indemnity or other bonds in proceedings in cases where such undertakings are required by State law.

26. To foreclose, by summary foreclosure proceedings where State law permits and in accordance with such State laws, in whole or in part, any chattel mortgage, real estate mortgage, deed of trust, security deed or collateral whatsoever kind or nature, securing any note, bond, or other evidence of indebtedness now held or hereafter acquired by the Small Business Administration or its Administrator as pledgee, owner, or otherwise, and to exercise any right or authority which the Small Business Administration or its Administrator has or may have pursuant to the terms of such security instrument or evidence of indebtedness, and to assign all the right, title and interest of the Small Business Administration or its Administrator in and to any terms of sale or bid made at any such foreclosure sale.

27. To approve annual and sick leave for employees under his supervision.

B. *Correspondence.* To sign all non-policy making correspondence, except Congressional correspondence, relating to the financial assistance functions.

II. The specific authority delegated in Subsection I.B. 3, 4, 5, 6, 7, 9, 13 (f), (g), 14, 15 (a), (b), (c), (d), and (e), 16, 17, 18, 19, 20, 21, and 26 may not be redelegated.

III. All authority delegated herein may be exercised by any SBA employee designated as Acting Chief, Financial Assistance Division.

IV. All previous authority delegated by the Regional Director to the Chief, Financial Assistance Division is hereby rescinded without prejudice to actions taken under all such delegations of authority prior to the date hereof.

Dated: January 15, 1959.

F. W. PRITCHARD,
Regional Director,
Detroit Regional Office XV.

[F.R. Doc. 59-2032; Filed, Mar. 9, 1959; 8:47 a.m.]

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